

DT20 Rec'd PCT/PTO 20 JUN 2003 PCT

00766.000052

PATENT APPLICATION

#17



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

MICHIO ICHIMURA, et al.

Application No.: 09/856,617

Filed: May 24, 2001

For: NOVEL POLYPEPTIDE

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Examiner: Barbara A. Campbell
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Group Art Unit:
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Confirmation No. 3220
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)
:
June 19, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR WITHDRAWAL OF
NOTIFICATION OF DEFECTIVE RESPONSE ABANDONMENT

Sir:

Applicants respectfully request withdrawal of the Notification of Defective Response Abandonment mailed June 6, 2003 (copy attached at Tab A) in the above-identified application. The Notification purports to hold this application abandoned because

“Applicant has failed to properly respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905) mailed 09/07/2001 within the time period set therein.”

However, a response to the Notification of Missing Requirements was timely filed; a copy of Applicants' Response is attached at Tab B. Also, attached at Tab C

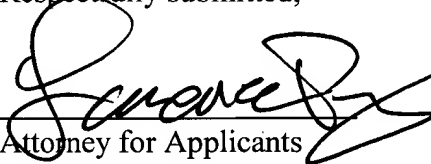
is a copy of Applicants' stamped return-receipt postcard evidencing that the Patent and Trademark Office acknowledged receipt of the Response and Submission of Computer Readable Form on September 25, 2001.

Accordingly, this application should not be held abandoned and prompt designation of the same as pending is respectfully requested.

Any fees required to process this Request may be charged to Deposit Account No. 06-1205.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



Attorney for Applicants
Lawrence S. Perry
Registration No. 31,865

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New York, New York 10112-2200
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NY_MAIN 357474v1



UNITED STATES PATENT AND TRADEMARK OFFICE

JUN 12 2003

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
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Alexandria, Virginia 22313-1450
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/856,617	Michio Ichimura	766.52

05514
FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

INTERNATIONAL APPLICATION NO.	
PCT/JP99/06487	
I.A. FILING DATE	PRIORITY DATE
11/19/1999	11/24/1998

766.52
ISP
P. 11. 6. 2001

CONFIRMATION NO. 3220

371 FORMALITIES LETTER



OC000000010200341

Date Mailed: 06/06/2003

NOTIFICATION OF DEFECTIVE RESPONSE ABANDONMENT

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

Applicant has failed to properly respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed 09/07/2001 within the time period set therein.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
 - See attached Raw Sequence Listing Error Report.
 - APPLICANT MUST PROVIDE:
 - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
 - For Rules Interpretation, call (703) 308-4216
 - To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 305-3631

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/856,617	PCT/JP99/06487	766.52

FORM PCT/DO/EO/918 (371 Formalities Notice)

Commissioner for Patents
Washington, D.C. 20231

Date 9 / 25 / 01
Mo. Day Yr.

Atty. Docket 766.52
Application No. 09/856,617

Sir:

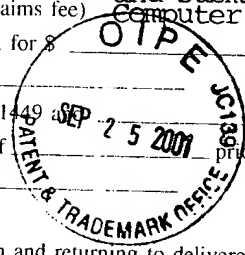
Kindly acknowledge receipt of the accompanying:

- XX** Response to ~~PTO-1449~~ Notification of Missing Requirements and Submission of Computer Readable Form
- ☐ Check for \$ _____ (claims fee)
- ☐ Petition under 37 CFR 1.136 and Check for \$ _____
- ☐ Notice of Appeal and Check for \$ _____
- ☐ Information Disclosure Statement, PTO-1449 _____ documents
- ☐ Claim for priority and certified copies of _____ priority applications
- ☐ Issue fee transmittal and Check for \$ _____
- ☐ Other (specify) _____

by placing your receiving date stamp hereon and returning to deliverer.

Atty. LSP/ac Due Date 11 / 7 / 01
Mo. Day Yr.

FOHS-D-00



BEST AVAILABLE COPY